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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN THE MATTER OF:  
NARDY A. VELEZ SANTAELLA  
Petitioner (s)

CASE NO: 17-02159 MCF  
CHAPTER 13

**NOTICE OF SUBMITTING PLAN DATED JUNE 30, 2017**

TO THE HONORABLE COURT:

COME (S) NOW, debtor(s) through the undersigned attorney and respectfully state(s), allege(s) and pray(s) as follows:

1. Debtor original plan was dated and filed March 30, 2017. (Docket # 2)
2. That debtor(s) is submitting plan dated **June 30, 2017** with this Notice. The purpose of this amended is clarify liquidation value language.

WHEREFORE, it is respectfully requested from this Honorable Court to: ORDER THE CONFIRMATION OF DEBTOR(S) AMENDED PLAN ACCORDINGLY.

**NOTICE**

Within fourteen (14) days after service as evidence by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law. (2) The requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise. If you file a timely response, the court may-in its discretion-schedule a hearing.

WE HEREBY CERTIFY, that on this same date and by regular U.S. Mail, copy of this motion has been sent to Alejandro Oliveras-Rivera, Esq., Chapter 13 Trustee, PO Box 9024062, Old San Juan Station, San Juan, PR 00902-4062 and to all interested parties mentioned in attached master address list.

Respectfully Submitted

In Carolina to San Juan, Puerto Rico, this June 30, 2017.

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Attorney for Petitioner(s)  
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ELECTRONICALLY FILED  
S/ Jaime Rodríguez-Pérez,  
USDC- PR 221011

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE: **NARDY AWILDA VELEZ SANTAELLA**

BK. CASE # 17-02159 MCF

DEBTOR(S)

CHAPTER 13

CHAPTER 13 PAYMENT PLAN

**NOTICE:** • The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than fourteen (14) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty one (21) days from its notification. • **This plan does not allow claims. Any party entitled to receive disbursements from the Trustee must file a proof of claim. The Trustee will pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and / or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, twenty one (21) days prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan.** • See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee:

☒ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.

2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: **June 30, 2017**

AMENDED PLAN DATED: \_\_\_\_\_

☒ PRE ☐ POST-CONFIRMATION

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

I. PAYMENT PLAN SCHEDULE

\$ **465.00** x **46** = \$ **21,390.00**  
 \$ **1,155.00** x **14** = \$ **16,170.00**  
 \$ **0.00** x **0** = \$ **0.00**  
 \$ **0.00** x **0** = \$ **0.00**  
 \$ **0.00** x **0** = \$ **0.00**  
 TOTAL = **60** \$ **37,560.00**

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
 within \_\_\_\_\_ with proceeds to come from

☐ Sale of property identified as follows:

☐ Other: \_\_\_\_\_

Periodic Payments to be made other than and in addition to the above.

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 To be made on: \_\_\_\_\_

PROPOSED PLAN BASE: \$ **37,560.00**

II. ATTORNEY'S FEES

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement: \$ **3,000.00**

b. Fees Paid (Pre-Petition): (\$ **300.00**)

c. R 2016 Outstanding balance: (\$ **2,700.00**)

d. Post Petition Additional Fees: \$ \_\_\_\_\_

e. Total Compensation: \$ \_\_\_\_\_

Signed: **/s/ NARDY AWILDA VELEZ**

III. DISBURSEMENT SCHEDULE SEQUENCE

A. SECURED CLAIMS: ☐ Debtor represents that there are no secured claims.

☒ Secured creditors will retain their liens and shall be paid as follows:

☐ ADEQUATE PROTECTION Payments: Cr. **ORIENTAL BANK** \$ **160.00**

☒ Trustee will pay secured ARREARS:

**BANCO POPULAR PR**  
 Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 Acct. **812070069** Acct. \_\_\_\_\_ Acct. \_\_\_\_\_  
 \$ **1.00** \$ \_\_\_\_\_ \$ \_\_\_\_\_

☐ Trustee will pay REGULAR MONTHLY PAYMENTS:  
 (please refer to the above related notice, for important information about this provision)

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 Acct. \_\_\_\_\_ Acct. \_\_\_\_\_ Acct. \_\_\_\_\_  
 Monthly Pymt.\$ \_\_\_\_\_ Monthly Pymt.\$ \_\_\_\_\_ Monthly Pymt.\$ \_\_\_\_\_

☒ Trustee will pay IN FULL Secured Claims:

Cr. **ORIENTAL BANK** Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 \$ **27,148.13** \$ \_\_\_\_\_ \$ \_\_\_\_\_

☐ Trustee will pay VALUE OF COLLATERAL:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

☐ Secured Creditor's interest will be insured. **INSURANCE POLICY** will be paid through plan:  
 Cr. \_\_\_\_\_ Ins. Co. \_\_\_\_\_ Premium: \$ \_\_\_\_\_

(Please indicate in "Other Provisions" the insurance coverage period)

☐ Debtor SURRENDERS COLLATERAL TO Lien Holder:

☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY to: **BANCO POPULAR PR**

B. PRIORITIES. The Trustee will pay \$507 priorities in accordance with the law [§1322 (a)(2)].

☒ PUERTO RICO TREASURY DEPARTMENT

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify claims

☐ Class A: ☐ Co-debtor Claims: ☐ Pay 100% ☐ "Pay Ahead"

☐ Class B: ☐ Other Class:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = **TO BE DETERMINATED BY TRUSTEE**)  
 \$ \_\_\_\_\_

☐ Will be paid 100% plus \_\_\_\_% Legal Interest. ☒ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

**SANTAELLA**

DEBTOR

JOINT DEBTOR

**\* For additional other provisions, please see attachment sheet(s).**

ATTORNEY FOR DEBTOR: /s/ JAIME RODRIGUEZ PEREZ Phone: 787-797-4174

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE: **NARDY AWILDA VELEZ SANTAELLA**

BK. CASE # 17-02159 MCF

DEBTOR(S)

CHAPTER 13

**Chapter 13 Plan Continuation Sheet**

**Additional Other Provisions:**

Other provisions:

**LIQUIDATION VALUE:**

**PRIORITIES - PR DEPARTMENT OF TREASURY**

- 1. Failure to timely object to this plan constitutes a waiver of the equal monthly amount method of payment under 11 USC 1325 (A) (5)**
- 2. TAX REFUNDS:** Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion the tender of such payments shall deem the plan modified by such amount, increasing the plan base thereby without the need of further notice, hearing or court order. If need be for the use by the Debtor(s) of a portion of such refund, Debtor(s) shall seek the Court's authorization prior to any use of funds.
- 3. OBJECTION TO CLAIMS:** Confirmation of this plan does not bar a party in interest from objecting to a claim.
- 4. CLASSIFICATION OF CLAIMS:** If a claim is listed in the plan as secured and the creditor files a proof of claim as an unsecured creditor, the creditor shall be treated as unsecured for purposes of distribution and for any other purpose under the plan.
- 6. Debtor will pay creditor BANCO POPULAR through the plan 100% of pre-petition arrears estimated in the amount of \$1.00 or the amount established by the creditor in its proof of claim. Debtor will continue making regular payment with direct post-petition mortgage payments as established in mortgage contract.**
- 7. DEBTOR'S MORTGAGE LOAN REACHES ITS MATURITY DATE ON JANUARY 2021. FOR THIS REASON DURING MONTH 46 (FEBRUARY 2021) THE PLAN WILL SUFFER \$685.00 STEP UP PAYMENT.**
- 8. ADEQUATE PROTECTION: CREDITOR ORIENTAL BANK (AUTOMOBILE LOAN) SHALL RECEIVE \$160.00 AS ADEQUATE PROTECTION PAYMENTS FROM THE FILING OF THEIR CLAIM UNTIL THE PLAN CONFIRMATION ORDER. CONFIRMED.**
- 9. INSURANCE COLLATERAL: "DEBTOR WILL INSURE ORIENTAL BANK (MATURITY DATE MARCH 8TH, 2022) THROUGH EASTERN AMERICA INSURANCE COMPANY. IT WILL BE PAID BY THE TRUSTEE THROUGH THE PLAN. DEBTOR UNDERSTAND THAT THE LIENHOLDER WILL BE SATISFIED BY MATURITY DATE. □**

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